

REMARKS

The claim amendments and remarks herein are responsive to the Office action dated July 25, 2005.

Prior to discussing the claim rejections based on prior art, the following claim amendments are reviewed for the Examiner's convenience.

Claim 34 has been amended to recite that the relatively movable portions are compressible only in the third direction to connect and disconnect the first and second panels in the first and third directions. As discussed below, this provides advantages in both the assembly and disassembly of the panels as well as panel connection strength.

Claim 35 has been amended to recite that the secondary coupling element has a flat configuration. This assures proper orientation during assembly and maintenance of the same to permit disassembly.

Claim 40 has been amended to recite that the thicknesses of the first coupling tongue and the secondary coupling element are substantially equal so that the secondary coupling extends in the recess within the thickness of the tongue. This enhances the strength of the panel connection by limiting the amount of panel material removed to receive the secondary coupling element.

Claim 45 has been amended to recite that the secondary coupling element has a horizontally flat configuration in the first and third directions. Further, the first and secondary coupling elements have substantially equal thicknesses extending in the second direction. Due to the horizontal orientation, the surface 85 is not limited by the thickness of the panel and may be of increased horizontal dimension to provide enlarged and stronger locking and bearing areas. Also, by providing the secondary coupling element with a thickness substantially equal to that of the first coupling, no additional panel material is removed to receive the secondary coupling element in the groove 3.

Claims 52 and 54 have also been amended of to recite that a secondary coupling element has a horizontally extending flat configuration. Claim 52 is further limited to the orientation of the secondary coupling element in a plane that is parallel to the common surface of the panels.

Claim 58 has been amended to recite that the milling process provides an opening in the lower side of the first and second panels. The free ends of the arms are accessible through the opening for compressing and disconnecting the panels. This is described at page 12, lines 30+ of the application.

Claim 59 has been rewritten as an independent claim similar to claim 34 and recites that the secondary coupling element has a flat configuration in the first and third directions.

Claim 60 depends from claim 59 and recites that the first and secondary coupling elements have substantially equal thickness dimensions extending in the second direction.

Claim 61 has been rewritten as an independent claim similar to claim 34 and recites that the first and secondary coupling elements have substantially equal thicknesses extending in the third direction.

Claims 62, 63 and 64 have each been amended to recite that the panels are constructed on the longitudinal sides to permit them to be engaged with adjacent panels by the indicated movements. These arrangements are particularly described in paragraph bridging pages 13 and 14 of the application.

It is requested that the Examiner reconsider and withdraw the rejection of the claims under 35 USC 102(e) as anticipated by U.S. Patent 6,729,091 to Martensson (hereinafter "091 patent"). As discussed below, the claims have been amended to more clearly distinguish over the patent.

Claim 34 has been amended to specify that the secondary coupling element is compressible only in the

third direction to connect and disconnect the panels. The '091 patent is construed in the Office action to teach that the relatively movable portions are compressible in at least the second and third directions to connect and disconnect the panels. The guiding means ends 6' may be compressed in the second direction as illustrated or compressed in the third direction as construed in the action to previously reject the claims.

The rotatable arrangement of guiding means 6 is disadvantageous since it unclear that the ends 6' may be later compressed to release the panels. More particularly, the ends 6' may be installed in or subsequently rotated to the illustrated vertical position to inhibit subsequent compression and release-ability of the panels.

Claim 35 further distinguishes over the '091 patent by specifying that the secondary coupling element has a flat configuration. The guiding means ends 6' include protrusions 60 that are said in the '091 patent "to interact with the gripping edges 4' of the holes 4 during assembly". As shown in figures 13 and 15, the dimensions of the holes 4 in the vertical and horizontal planes are substantially equal and the guiding means 6 is therefore not flat. The '091 patent disclosure thereby teaches a rotatable guiding means 6.

Claim 40 further distinguishes over the '091 patent by reciting that the horizontal contact surfaces are provided by a tongue and groove connection. Further, the tongue has a thickness extending in the second direction and a recess for receiving the secondary coupling element. The secondary coupling element has a flat configuration in the first and third directions and a coupling thickness in the second direction equal to the tongue thickness. Accordingly, the secondary coupling element extends in the recess and within the groove 3.

Claim 45 has been amended to recite that the secondary coupling element has a horizontally flat configuration in the first and third directions, and a thickness substantially equal to that of the first coupling element. As noted above, the horizontal orientation, enables the surface 85 to be of increased horizontal dimension to provide enlarged and stronger locking and bearing areas. Also, by providing the secondary coupling element with a thickness substantially equal to that of the first coupling, no additional panel material is removed to receive the secondary coupling element in the groove 3.

Claim 46 recites that the secondary coupling element is formed of a material having a larger restoring force than the restoring force resulting if the secondary

coupling element was formed on the material forming the panels. This is not disclosed in the prior art.

The prior art also fails to disclose that the secondary coupling element includes an end wall that engages a recess wall 19 opposed from the undercutting so as to limit further movement of the secondary coupling element in the first direction.

Claims 52 and 54 each recite that the secondary coupling element has a horizontally flat configuration. Claim 52 further provides that the coupling element has a size substantially corresponding with the size of the recess in the horizontal contact surfaces whereas the '091 patent teaches holes 4 to be of substantially larger dimension than the groove 11 and tongue 12. Claim 52 also requires that the secondary coupling element be mounted in a plane that is parallel to the common surface plane.

Claim 58 recites an opening in the lower side of the panels. The free ends of the arms are accessible through the opening for compressing to disconnect the panels. The '091 patent does not contemplate disassembly since the ends 6' may be originally assembled in or subsequently moved to a vertical orientation so as to prevent accessibility.

Claim 59 is an independent claim similar to claim 1, but reciting that the secondary coupling element has a

flat configuration in the first and third directions.

This feature is not disclosed by the '091 patent.

Claim 60 depends from claim 59 and further recites that the thicknesses of first and second coupling elements in the second direction are equal and less than their lengths and widths extending in the first and third directions.

Claim 61 is an independent claim similar to claim 1, but reciting that the first and secondary coupling elements of have substantially equal thicknesses extending in the second direction.

For all of the foregoing reasons, it is requested that the Examiner reconsider and withdraw the rejection of the claims as unpatentable over the '091 patent.

The foregoing amendments of the claims renders moot the prior rejection of claim 59 as unpatentable over the '091 patent in view of U.S. Patent 6,763,643 to Martensson ("'643 patent"). In a like manner, the prior rejection of claim 61 under 35 USC 103(a) as unpatentable over the '091 patent in view of the '643 patent and further in view of U.S. Patent 5,866,057 to Roffael is moot.

For the same reasons as set forth above, the rejection of claim 65 under 35 USC 103(a) over the '091 patent is overcome.

For all of the foregoing reasons, it is respectfully submitted that all of the claims presently of record are in condition for allowance and such action is requested.

If there are any further fees required by this Submission, please charge the same to Deposit Account No. 16-0820, Order No. 35995.

Respectfully submitted,

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